

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
62nd LEGISLATURE - REGULAR SESSION**

**HOUSE JUDICIARY COMMITTEE**

**Date:** Thursday, January 20, 2011  
**Place:** Capitol

**Time:** 8:00 AM  
**Room:** 137

**BILLS and RESOLUTIONS HEARD:**

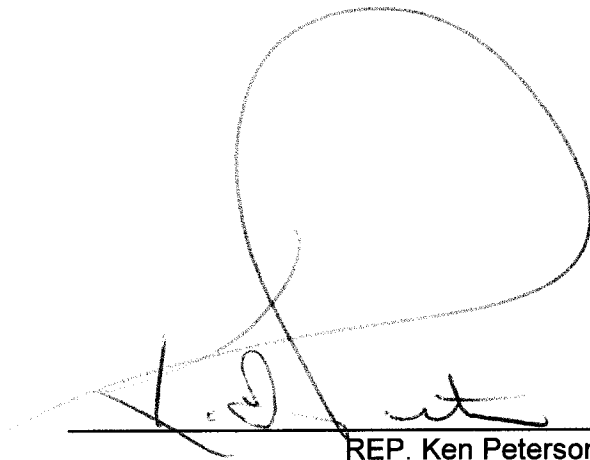
HB 102 - Revise probationary driver's license provisions for DUI court participation  
HB 112 - Clarify liquor laws related to serving underage and intoxicated persons  
HB 146 - Increasing penalties for DUI  
HB 253 - Provide for recovery of costs for DUI conviction

**EXECUTIVE ACTION TAKEN:**

HB 12 Do pass  
HB 14 Do pass  
HB 69 Do pass  
HB 126 Do pass  
HB 27 Tabled

HB 67 postponed

**Comments:**

A large, stylized handwritten signature, likely of Ken Peterson, is written over a horizontal line. The signature is in dark ink and features a large, looping 'P'.

REP. Ken Peterson, Chair

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**JUDICIARY COMMITTEE**

DATE: 1/20/2011

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. KEN PETERSON, CHAIR	✓	
REP. KRAYTON KERNS, VICE CHAIR	✓	
REP. DIANE SANDS, VICE CHAIR		✓
REP. MIKE MENAHAN		✓
REP. ROBYN DRISCOLL	✓	
REP. KEITH REGIER	✓	
REP. DAN SKATTUM	✓	
REP. CLEVE LONEY	✓	
REP. MARGARET MACDONALD	✓	
REP. CAROLYN PEASE-LOPEZ	✓	
REP. MICHAEL MORE	✓	
REP. LIZ BANGERTER	✓	
REP. WENDY WARBURTON	✓	
REP. BOB WAGNER	✓	
REP. ELLIE BOLDMAN HILL	✓	
REP. BILL HARRIS	✓	
REP. KRISTIN HANSEN	✓	
REP. DAVID HOWARD	✓	
REP. JESSE O'HARA	✓	
REP. JOE READ	✓	



## HOUSE STANDING COMMITTEE REPORT

January 20, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 12** (first reading copy -- white) do pass.

Signed: 

*Representative Ken Peterson, Chair*

- END -

**Committee Vote:**

**Yes 19, No 1**

Fiscal Note Required ☐

HB0012001SC.hgh

*JP 1/20/11  
LPM*



## HOUSE STANDING COMMITTEE REPORT

January 20, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 14** (first reading copy -- white) do pass.

Signed: 

*Representative Ken Peterson, Chair*

- END -

**Committee Vote:**

**Yes 15, No 5**

Fiscal Note Required ☐


HB0014001SC.hgh

*JA 1/20/11  
1PM*


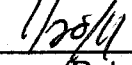
## BILL TABLED NOTICE

### HOUSE JUDICIARY COMMITTEE

The HOUSE JUDICIARY COMMITTEE TABLED HB 27 - Place notation of DUI on driver's license, by motion, on Thursday, January 20, 2011.

  
(For the Committee)

  
(For the Chief Clerk of the House)

 1pm  
(Time)  1/20/11  
(Date)

January 20, 2011

Karen Armstrong, Secretary

Phone: (406) 444-4607



## HOUSE STANDING COMMITTEE REPORT

January 20, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 69** (first reading copy -- white) do pass.

Signed: 

*Representative Ken Peterson, Chair*

- END -

**Committee Vote:**

**Yes 15, No 5**

Fiscal Note Required ☐

HB0069001SC.hgh

*Handwritten:* 1/20/11  
1pm



## HOUSE STANDING COMMITTEE REPORT

January 20, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 126** (first reading copy -- white) do pass as amended.

Signed.

  
Representative Ken Peterson, Chair

And, that such amendments read:

1. Page 3, line 8.

**Following:** "45 and 46."

**Insert:** "If a youth is acquitted in district court of an offense enumerated in subsection (1), the district court shall sentence the youth pursuant to Title 41 for any remaining offense for which the youth is found guilty."


- END -

Committee Vote:

Yes 19, No 1

Fiscal Note Required ☐

HB0126001SC.hgh

 1/20/11  
1pm

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE: 1/20/2011 BILL NO. 12 MOTION NO. \_\_\_\_\_  
MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR	✓		
REP. MIKE MENAHAN	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD	✓		
REP. PEASE-LOPEZ	✓		
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	✓		✓ proxy
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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# AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary  
Committee because of other commitments. I desire to leave my proxy vote with:  
Vice Chairman Ferris

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
12	X	

BILL/AMENDMENT	AYE	NO

Rep. David Howard  
(Signature)

Date 1-20-11

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE: 1/20/2011 BILL NO 14 MOTION NO. \_\_\_\_\_  
MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
x REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR	✓		
REP. MIKE MENAHAN	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEITH REGIER	✓		
REP. DAN SKATTUM		✓	
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD	✓		
REP. PEASE-LOPEZ	✓		
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY Warburton		✓	
REP. BOB WAGNER		✓	
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD		✓	
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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# HOUSE OF REPRESENTATIVES

## Roll Call Vote

### JUDICIARY COMMITTEE

DATE: 1/20/2011 BILL NO. 27 MOTION NO. failed  
 MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM		✓	
REP. CLEVE LONEY		✓	
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE		✓	
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON		✓	
REP. BOB WAGNER		✓	
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS		✓	
REP. KRISTIN HANSEN		✓	
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ		✓	
REP. KEN PETERSON, CHAIR	✓		

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE: 1/20/2011 BILL NO 69 MOTION NO. ~~amendment 1~~ passed  
MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR	✓		
x REP. MIKE MENAHAN	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD	✓		
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE		✓	
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON		✓	
REP. BOB WAGNER		✓	
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE: \_\_\_\_\_ BILL NO 126 MOTION NO ~~126~~  
MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR	✓		
REP. MIKE MENAHAN	✓		
REP. ROBYN DRISCOLL	✓		
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD	✓		
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY Warburton	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE JUDICIARY COMMITTEE**

**Thursday, January 20, 2011**

## HB 102 - Revise probationary driver's license provisions for DUI court participation

**Sponsor: Representative Mike Menahan**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

**MONTANA House of Representatives**  
**Visitors Register**  
**HOUSE JUDICIARY COMMITTEE**

**Thursday, January 20, 2011**

## HB 112 - Clarify liquor laws related to serving underage and intoxicated persons

**Sponsor: Representative Timothy Furey**

**PLEASE PRINT**[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

**HOUSE JUDICIARY COMMITTEE**

**Thursday, January 20, 2011**

## HB 146 - Increasing penalties for DUI

**Sponsor: Representative Ken Peterson**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**



# MONTANA House of Representatives

# Visitors Register

**HOUSE JUDICIARY COMMITTEE**

**Thursday, January 20, 2011**

## HB 253 - Provide for recovery of costs for DUI conviction

**Sponsor: Representative Gordon Hendrick**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**